

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY FIELD ARTILLERY CENTER AND FORT SILL
Fort Sill, Oklahoma 73503-5100

USAFACFS Pamphlet
No. 608-5

22 April 1994

Personal Affairs
CASUALTY ASSISTANCE TO SPOUSES OF DECEASED,
RETIRED U.S. ARMY PERSONNEL

	Paragraph	Page
Purpose	1	3
Scope	2	3
Responsibilities	3	3
Suggested Actions by Surviving Spouse After Death of Military Sponsor - Actions Requested	4	3
Burial Arrangements	5	4
Burial in National or Post Cemeteries	6	5
Military Funerals	7	5
Burial in Private or Civilian Cemeteries	8	5
Headstone or Marker	9	5
Flag	10	5
Burial of Dependents in National Cemeteries	11	6
Financial Assistance	12	6
Six-Months Death Gratuity for Terminal Retirees	13	6
Veterans Administration Service-Connected Death Compensation	14	6
Dependent Parent(s)	15	9
Veterans Administration Nonservice-Connected Death Pension	16	9
Veterans Administration Decisions, Disagreements, and Appeals	17	10
Social Security	18	11
Monthly Social Security Payments (Survivors)	19	11
Income Limitations for Social Security Payments (Except Disability)	20	12
Actions by Retired Pay Operations	21	12
Civil Service Annuities, Life Insurance, and Survivor Benefit Plan	22	13
Types of Government Life Insurance	23	14

USAFACFS Pam 608-5, 22 April 1994

	Paragraph	Page
Settlement of Commercial Life Insurance Policies	24	14
Counseling	25	15
Miscellaneous Privileges and Benefits - Personal Affairs Records	26	15
Important Documents	27	15
Legal Assistance	28	17
Income Tax	29	17
Checking and Savings Accounts	30	19
Safety Deposit Boxes	31	19
United States Savings Bonds	32	19
Travel of Dependents and Movement of Household Goods	33	19
Identification (ID) Cards	34	20
Continuation of Privileges	35	20
Home Loan by the Veterans Administration	36	21
Civil Service Job Preference	37	21
Education of Children	38	21
Officer and NCO Club Membership	39	21
APPENDIX A. SUMMARY OF MONETARY BENEFITS		23
APPENDIX B. FINAL SUMMARY		26
APPENDIX C. FREQUENTLY CALLED TELEPHONE NUMBERS		28

1. **PURPOSE.** This pamphlet is designed for use by the surviving spouse of deceased, retired Army personnel as a brief written explanation of matters pertaining to their personal affairs and benefits.

2. **SCOPE.** This pamphlet applies to all surviving spouses of deceased, retired Army personnel within the Fort Sill area of responsibility, currently the states of Oklahoma and Arkansas

3. **RESPONSIBILITIES.** The U.S. Army Casualty Area Commander (Commanding General, Fort Sill) is responsible for assisting and counseling the next of kin of retired military personnel on matters pertaining to the deceased. To be responsive to the needs of the survivors, various agencies of the U.S. Army must be aware of the death of the sponsor.

4. **SUGGESTED ACTIONS BY SURVIVING SPOUSE AFTER DEATH OF MILITARY SPONSOR - ACTIONS REQUESTED.** To accomplish notification of Army agencies and to have a Casualty Assistance Officer (CAO) appointed on your behalf, we recommend that--

a. Upon the death of a retiree, a telephone call to the Adjutant General Casualty Branch at (405) 442-6405/6706 should be made to provide the following information:

Name of deceased

(2) Social Security Number

(3) Retired grade

(4) Date and time of death

Place of death

Cause of death, if known

Information about the next of kin

(8) Name of funeral home having charge of remains, if known.

Date and place of birth of deceased

b. Consideration should be given to provisions of military honors for the funeral and burial (see paragraph 7 for further details).

5. **BURIAL ARRANGEMENTS.** The U.S. Army does NOT pay for the funeral of a retired person. It is the responsibility of survivors to make all burial arrangements with the funeral home of their choice. Upon contact with the funeral director, it is advised that survivors request at least two copies of the "Death Certificate" from the funeral home. Additionally, the survivors should order one death certificate for each commercial life insurance policy in existence. At no cost to the widow, the Casualty Assistance Office will reproduce necessary documents to support claims initiated in that office. The surviving spouse is advised to approach funeral arrangements with COMMON SENSE, CAUTION, and a realization that burial expenses incurred in a highly emotional state must be paid for in the realistic and certain future with LIMITED assistance from other agencies, as follows:

a. **Burial Allowances for all Veterans.** Veterans Administration will pay a \$300 burial and funeral expense allowance to veterans who, at time of death, were entitled to receive pension or compensation or would have been entitled to compensation but for receipt of military retirement pay. Eligibility is also established when death occurs in a VA facility or a nursing home with which VA contracted, and additional costs of transportation of the remains may be reimbursed in those cases. Claims must be filed within 2 years after permanent burial or cremation. If the veteran is buried without charge for the cost of a plot or interment in a State-owned cemetery reserved solely for veteran burials, the \$150 plot allowance may be paid to the State. VA will pay an additional \$150 plot or interment allowance if the requirements for the basic allowance are met or the veteran was discharged from active duty due to disability incurred or aggravated in line-of-duty and is not buried in a cemetery that is under U.S. Government jurisdiction. To the extent that burial expenses were paid by the deceased's employer or a State agency, they will not be reimbursed to those making interment arrangements. If the veteran's death is service connected, VA will pay a burial allowance up to \$1,500 instead of the \$300 basic allowance and the \$150 burial allowance. VA will also pay the cost of transporting the remains of a service-disabled veteran to the national cemetery with available grave space nearest his or her home. The person who bore the veteran's burial expenses may claim reimbursement.

b. **Social Security.** Some retired personnel are covered by Social Security and some are not. If the deceased was covered by Social Security, a survivor will receive a lump sum burial payment equal to three times the amount the deceased would have been entitled to at the age of 65, not to exceed a total of \$255. Survivors must PERSONALLY apply for this benefit at the nearest Social Security Office.

6. **BURIAL IN NATIONAL OR POST CEMETERIES.** Deceased, retired military personnel may be buried in national or post cemeteries on a space-available basis. The Fort Gibson National Cemetery, Fort Gibson, Oklahoma, is the only national cemetery in Oklahoma having space available at this time. National cemeteries in Arkansas are located in Fayetteville, Fort Smith, and Little Rock. A survivor should request the funeral director to make interment arrangements directly with the superintendent of the national cemetery concerned. Remains should not be shipped nor should final time and date of burial be set until interment has been authorized by the superintendent concerned. If a retired person is buried in a national or a post cemetery, there is no cost to survivors for the grave site, for opening and closing the grave, or for the provision of a regulation headstone. If burial will be at the Fort Sill Cemetery, the funeral director will make arrangements with the Casualty Assistance Office. After the funeral, survivors must make arrangements with the post cemetery manager to complete appropriate applications concerning the interment and the requesting of a government headstone (if applicable). Appointment can be made by calling the post cemetery manager at 442-2922.

7. **MILITARY FUNERALS.** A military funeral may be provided if resources are available. If survivors desire that a military funeral be conducted, the funeral director should be notified. The funeral director will contact the Casualty Assistance Office, Fort Sill, Oklahoma, (405) 442-6405. If possible, the U.S. Army will provide a military firing party, pallbearers, a bugler, and a chaplain. If the deceased is to be buried in a military uniform, it must be provided by the survivors.

8. **BURIAL IN PRIVATE OR CIVILIAN CEMETERIES.** Burial in private or civilian cemeteries may be arranged; however, survivors should consider that the cost of the grave site, of opening and closing the grave, and other fees in private or civilian cemeteries are expenses that will not be incurred if interment is made in a national or post cemetery.

9. **HEADSTONE OR MARKER.** The headstone or marker for retired military personnel buried in national cemeteries will be provided by the superintendent, who will automatically make these arrangements. If interment is made in a cemetery other than a national or post cemetery, a government headstone or marker may be requested through the funeral director.

10. **FLAG.** The United States Flag will be presented to the next-of-kin at the grave service as a memento of the deceased, retired person's faithful service to the country. The funeral director will obtain the flag used for the presentation.

11. **BURIAL OF DEPENDENTS IN NATIONAL CEMETERIES.** The surviving spouse (so long as remarriage does not occur), minor children, and in certain instances, unmarried adult children are eligible for burial in the national or post cemetery in which the retired person is interred. No recurring request is necessary for this benefit upon the interment of the retired person.

12. **FINANCIAL ASSISTANCE.** The following agencies are available to survivors:

a. **Army Emergency Relief.** Survivors in immediate financial difficulty will request the Casualty Assistance Officer to schedule an appointment with the Fort Sill Army Emergency Relief Officer. The Army Emergency Relief Officer will evaluate the survivors' financial needs and if assistance is required, the Army Emergency Relief Headquarters in Washington, DC, will be contacted for approval. Assistance may be provided either in the form of an interest free loan or a grant based on the determination made by Army Emergency Relief Headquarters.

b. **The American Red Cross.** The Home Service Committee of the American Red Cross is organized to provide assistance to widow/widowers and orphans of deceased military personnel during the interim period from the date of death of the retired person until benefits commence from appropriate agencies. In the event that assistance from the Army Emergency Relief or money that survivors currently have on hand is not sufficient until benefits commence, survivors are urged to contact the local County Chapter of the American Red Cross for additional extended assistance.

13. **SIX MONTHS OF DEATH GRATUITY FOR TERMINAL RETIREES.** Six months of death gratuity will be paid to survivors of retired personnel ONLY if it is determined by the VA that the retired person died of a SERVICE-CONNECTED disability within 120 days from the date of retirement. Payment will be made to eligible survivors by the Finance Officer, Indianapolis, Indiana, ONLY after the VA certifies that death is service-connected. If authorized, this payment will require from 3 to 6 months to process.

14. **VETERANS ADMINISTRATION SERVICE-CONNECTED DEATH COMPENSATION.** Application for VA benefits is made for the widow/widower by the Casualty Assistance Office or by a VA representative. Claim is made that death is "service-connected" to ensure that the VA evaluates this possibility. If death is determined to be service-connected, the widow/widower will receive monthly payments which are called "Dependency Indemnity Compensation (DIC)."

a. The VA, NOT the U.S. Army, determines whether death is service or nonservice-connected. This decision is based upon all medical records of the retired person procured by VA and upon the cause of death. The fact that a military person DID NOT RETIRE FOR PHYSICAL DISABILITY from the service or DOES NOT HAVE A PERCENTAGE of disability awarded by the VA, does not necessarily mean that the death could not be service-connected. Conversely, the fact that a person did retire for disability from the service or had a disability awarded from the VA does not mean that the death is service-connected. If medical records indicate that a retired person did incur a disability, injury, or a disease on active duty and this WAS either the cause of or a contributing factor to the death, then the VA would determine that the death was service-connected. The length of service has no specific bearing upon this determination.

b. If the VA determines that death is service-connected, regardless of the number of children, income, or the value of the estate, the widow/widower would receive DIC based upon the last grade in which the retired person served on active duty. (EXCEPTION: If the retiree held a higher grade for 6 months and served in that grade WITHIN 120 days of retirement, DIC would be based upon the higher grade.) There is an increase in the rate payable for the surviving spouse with children of the deceased. In cases where the VA determines that death is service-connected but certification as to the last grade served on active duty has not been received, the minimum DIC will be paid. When certification is received, DIC will be paid at prescribed rates, and the difference between the lowest amount and the prescribed amount will be paid to the surviving spouse at a later date.

c. If the veteran was rated by the VA as service-connected at 100 percent for a period of 10 years prior to death, then the surviving spouse will be eligible for DIC, regardless of what caused the death of the veteran.

d. Definition of a Surviving Spouse. Generally, to qualify for DIC and/or pension from the VA, the surviving spouse must have married the veteran at least 1 year prior to his or her death unless a child resulted from the union.

e. The surviving spouse must have lived continuously with the veteran from the time of marriage until the veteran's death, except where separation was not due to the fault of the surviving spouse.

f. Remarriage. Entitlement to DIC is lost if a surviving spouse remarries.

g. In the event the deceased retiree has children by a previous marriage and they are not living with the eligible surviving spouse, the VA will apportion DIC payments. A certain portion will go to the children and the eligible legal surviving spouse will receive the remainder.

h. The processing time for VA claims is from 2-6 months; however, payments will be retroactive to 1st of the month after the date of death.

i. Normally, there is no indemnity compensation for children under 18 years of age. However, if there is no eligible surviving spouse, children under 18 years of age may receive compensation.

j. Minor, handicapped children permanently incapable of self-support will be paid supplemental DIC as follows:

(1) if a surviving spouse is being paid DIC, the handicapped child will receive an additional amount each month until the child is 18 years of age, then the child will receive payments concurrently with DIC payments to the surviving spouse

(2) if there is no surviving spouse (surviving spouse is deceased or has remarried) the handicapped child will be paid

k. Survivors and Dependents' Education

(1) Survivors and children of those retirees who died as a result of a service-connected disability are entitled to educational assistance from the VA if the disability was incurred during the induction period. Benefits may be awarded for pursuit of associate, bachelor, or graduate degrees at colleges and universities (including independent study, cooperative training and study abroad programs). Courses leading to a certificate or diploma from business, technical, or vocational schools may also be taken. Other opportunities include apprenticeship or on-the-job training programs and farm cooperative courses. Benefits for correspondence courses are available to spouses only. Secondary school programs may be pursued if the individual is not a high school graduate. The individual may also receive tutorial assistance benefits if he or she is enrolled half time or more and has a deficiency in a subject. Remedial, deficiency and refresher training may also be available.

(2) An eligible child who is handicapped by a physical or mental disability that prevents pursuit of an educational program may receive special restorative training. This may involve speech and voice correction, language retraining, lip reading, auditory training, Braille reading and writing, or

anything of this nature. Specialized vocational training is available to an eligible spouse or child over age 14 who is handicapped by a physical or mental disability that prevents pursuit of an educational program. On request, VA will provide counseling services, including testing, to help an eligible dependent select an educational or vocational objective, develop a plan to achieve it, and overcome any problems which might interfere with its successful achievement.

(3) Payments are made monthly. The full-time rate is paid for full-time school attendance with lesser amounts for part-time training. A person may be entitled to receive educational assistance up to a total of 45 months or the equivalent in part-time training.

(4) Benefits to a spouse end 10 years from the date VA first finds the individual eligible. VA may grant an extension of this period if a physical or mental disability prevented the individual from using some portion of his or her education benefits. The disability must occur during the individual's 10 year period of eligibility. Generally, children must be between the ages of 18 and 23 to receive benefits. Certain extensions may be granted, including for the period of time equal to the time the child spends on active duty. No extension can go beyond the individual's 31st birthday.

15. **DEPENDENT PARENT(S).** Dependent parents may qualify for indemnity compensation even though surviving spouse and children are receiving benefits. The monthly amount depends upon the income of the parents, whether there is one or two parents, whether surviving parents are living together, or whether a parent has remarried.

16. **VETERANS ADMINISTRATION NONSERVICE-CONNECTED DEATH PENSION.** Certain surviving spouses and children of deceased wartime retirees may qualify for nonservice-connected death pensions. Retiree must have had 90 days wartime service, unless discharged or retired for service-connected disability, and been discharged under conditions other than dishonorable.

a. Surviving spouses and unmarried children under age 18 (or until 23 if attending a VA-approved school) of deceased retirees with wartime service may be eligible for pension based on need if they meet the applicable income standards.

b. Otherwise qualified children who became permanently incapable of self-support because of a mental or physical defect before reaching age 18 may receive a pension as long as the conditions exists or until they marry.

c. Pension is not payable to those whose estates are so large that it is reasonable they look to the estates for maintenance.

d. A surviving spouse who is a patient in a nursing home or is otherwise determined to be in need of the regular aid and attendance of another person, or is permanently housebound, may be entitled to higher income limitations or additional benefits, depending on the type of pension received.

e. Generally, to qualify, a surviving spouse must have married the retiree at least 1 year prior to his or her death unless a child resulted from the union.

f. The surviving spouse must have lived continuously with the veteran from the time of marriage until the veteran's death except where there was a separation not due to the fault of the surviving spouse.

g. Remarriage following the death of the retiree makes the surviving spouse ineligible for pension based on the death of that retiree. A surviving spouse may also be ineligible if after the death of the retiree she or he has lived with another man or woman and held herself or himself out openly to the public to be the spouse.

h. If she or he meets the other qualifications, a person who married a veteran without knowing that a legal impediment to the marriage existed may be eligible for pension in certain cases.

i. Improved Pension. The improved pension program provides a monthly payment to bring an eligible person's income to a support level that has been established by law. This support level is reduced by the annual income from other sources such as Social Security that may be payable to the surviving spouse or dependent children. Countable income may be reduced by certain unreimbursed medical expenses. Pension is not payable to those who have assets that can be used to provide adequate maintenance.

17. VETERANS ADMINISTRATION DECISIONS, DISAGREEMENTS, AND APPEALS.

a. Adverse decisions of the VA are sometimes reversed in favor of claimants. If a decision made by the VA is believed to be incorrect, the claimant should send a statement to the VA, along with any supporting evidence, indicating why the decision is believed to be incorrect. If the decision is unchanged after all the evidence is considered, the claimant may then file a letter of disagreement and notice of intent to appeal. The VA will then furnish the claimant with a "Statement of the Case." This is a detailed summary of the facts of the law, and the reasoning upon which the VA based the decision. The claimant may then examine the statement, and rebut it by submitting more evidence, or by filing a formal appeal to the Board of Veteran Appeals.

b. Evidence in support of a claim may be submitted at any time after the decision has been announced. However, the effective date of any benefit may be controlled by the date the evidence is received. Normally, if the evidence is received within 1 year of the date of the announcement of the decision, the effective date of the claim will be the date on which the evidence was received. A notice of disagreement should be filed within 60 days after the date of the announcement of the contested decision.

18. SOCIAL SECURITY

a. Retired personnel who are generally covered by Social Security are--

(1) Those persons who retired for physical disability prior to 1 January 1957, and who elected to compute their pay on a percentage of disability rather than for years of service.

(2) Those persons who retired for length of service and who worked under and attained the necessary coverage by working in a job covered by Social Security in a retired status.

(3) Those who retired after 1956 (depends upon age at time of retirement).

(4) Those who retired at any time and were on Social Security rolls at time of death.

b. If a retired person was not covered by Social Security, there will be no payment made to the surviving spouse and children if the death is nonservice-connected. However, if the death is service-connected, "special payments" may be made by the VA in addition to DIC payments.

c. If a retired person was covered by Social Security, payments will be based upon the "average monthly wage" for Social Security purposes computed by the Social Security Administration AT THE TIME APPLICATION FOR BENEFITS IS MADE.

19. MONTHLY SOCIAL SECURITY PAYMENTS (SURVIVORS).

a. Monthly Social Security payments are payable to the dependent spouse ONLY if--

(1) The applicant is 60 years of age or over

(2) The applicant (any age) has children under 16 in custody or care.

(3) The applicant (any age) has a disabled child in custody or care. The child must be disabled before age 22 and be dependent upon the applicant for personal services.

(4) The applicant is over 50, and disabled with an impairment that occurred within 7 years of the date of spouse's death.

b. When a dependent spouse is entitled to monthly payments because of the conditions outlined in (2) above, all monthly payments cease when the youngest child reaches the age of 16. Benefits will not start again until the dependent spouse reaches the age of 60, unless the conditions cited in (3) and (4) above exist.

c. Social Security monthly payments, in life or death cases, are based upon an average yearly wage of the worker

d. Unmarried children of a person receiving old age or disability Social Security benefits, or unmarried children of a deceased person, may receive benefits in their own right until they reach age 18 (or 19, provided they are full-time students in high school).

e. An applicant must file for all benefits paid by Social Security. As soon as possible, the applicant should call to schedule an appointment with the local Social Security Office. The following documents should be presented:

(1) Death certificate.

(2) Marriage certificate

(3) Birth certificates of all eligible children

(4) Deceased worker's Social Security Number.

(5) W-2 Form (from tax records) for prior year

(6) The applicant must be able to furnish all information concerning prior marriages of both parties.

7) DD Form 214 (covering all periods of military service)

20. INCOME LIMITATIONS FOR SOCIAL SECURITY PAYMENTS (EXCEPT DISABILITY). In the event the applicant qualifies for monthly Social Security payments, there is a limitation on "earned" income.

21. ACTIONS BY RETIRED PAY OPERATIONS. Retired Pay Operations Indianapolis, Indiana, is notified of the death of retired military personnel by the Casualty Assistance Office. All retired pay will CEASE as of the date of death. The named beneficiary will be eligible to receive the portion of the retired pay accrued during the last month that the retired person lived (i.e., if death occurred on the 12th of the month, the beneficiary would receive 12 days of retired pay).

a. At the time Retired Pay is notified of the death, information is reported to the Casualty Assistance Office regarding all allotments the retired person had in force at the time of death. This includes information pertaining to enrollment in the Survivor Benefit Plan or the Retired Servicemen's Family Protection Plan, allotments to insurance agencies, and disability paid by the Veterans Administration.

b. Retired Pay Operations will automatically correspond with the beneficiary within 2 to 3 weeks from the date of the retiree's death, and will provide applicable forms with which to apply for Unpaid Pay (the portion of the month during which the retiree was alive), Retired Servicemen's Family Protection Plan (RSFPP) and/or Survivor Benefit Plan (SBP).

(1) Retired Servicemen's Family Protection Plan (RSFPP), formerly known as the Contingency Option Act, is a voluntary plan to provide an annuity for survivors of deceased retired personnel. Only soldiers who retired before 21 September 1972 could take part in this plan. The RSFPP was replaced by the Survivor Benefit Plan.

(2) Survivor Benefit Plan (SBP), originally enacted in 1972, is a voluntary plan to provide an annuity for survivors of deceased retired personnel. If a retiree elected enrollment into the SBP, upon the retiree's death, the spouse can apply for the annuity. The Defense Authorization Act of 1986 (PL 99-145) introduced a two-tier system of SBP. The two-tier system provides an SBP annuity of 55% of the base amount until the spouse becomes eligible to receive Social Security, at which time it drops to 35% of the base amount. Should remarriage occur before age 55, the annuity will end. If and when that marriage terminates, the annuity will again be payable. If remarriage occurs after age 55, the annuity continues uninterrupted.

22. CIVIL SERVICE ANNUITIES, LIFE INSURANCE, AND SURVIVOR BENEFIT PLAN.

a. If the deceased was a former Civil Service employee who qualified at the time of death for Civil Service retirement benefits, survivors may be entitled to an annuity. The deceased must have had a minimum of 5 years Civil Service pay. If the deceased was receiving a Civil Service retirement check in addition to military retired pay, the deceased may have provided an annuity for survivors from Civil Service.

b. If it appears that the deceased qualified under the above criteria, an appointment will be made for survivors with the Directorate of Civilian Personnel (DCP), Fort Sill, Oklahoma (Building 207) 442-3955. The DCP will then assist survivors in making application for benefits that may be payable due to the Civil Service status of the deceased.

23. TYPES OF GOVERNMENT LIFE INSURANCE. There are four types of government life insurance: United States Government Life Insurance (USGLI), National Service Life Insurance (NSLI), Servicemen's Group Life Insurance (SGLI), and Veterans Group Life Insurance (VGLI).

a. United States Government Life Insurance (USGLI)/National Service Life Insurance (NSLI). If the retired person retained USGLI, application for payment will be made by the Casualty Assistance Office. The method of payment of this insurance to the beneficiary has been previously prescribed by the retired person, and the beneficiary may or may not be permitted to change the election. The election may be for payment in a lump sum, for a period of 3 to 20 years, or for the rest of the survivor's life. In many cases, beneficiaries who are permitted to do so, elect to receive Government Life Insurance in a lump sum when decisions should actually be made to provide lifetime incomes.

(1) Even though the election may be for payment of Government insurance in a lump sum, IT IS STRONGLY RECOMMENDED THAT THIS DECISION BE HELD IN ABEYANCE UNTIL THE TYPES OF BENEFITS AND AMOUNTS TO BE RECEIVED FROM EITHER THE VA OR THE SOCIAL SECURITY ADMINISTRATION ARE DETERMINED.

(2) Payments for USGLI policies vary a small amount, but are similar to the National Service Life Insurance (NSLI) "V" policies, and are slightly higher.

b. Servicemen's Group Life Insurance (SGLI). If the retired person was covered by the SGLI on the date of retirement, designated survivors will be entitled to the proceeds IF DEATH OCCURRED WITHIN 120 DAYS AFTER DATE OF RETIREMENT, even though the insurance had not been converted to an individual policy prior to death.

c. Veterans Group Life Insurance (VGLI). Application is made within 120 days after release from service and is a 5-year renewable term policy.

24. SETTLEMENT OF COMMERCIAL LIFE INSURANCE POLICIES.

Commercial life insurance companies require a copy of the death certificate and a claim form to be completed and signed by the designated beneficiary. To settle commercial life insurance policies, the beneficiary may--

a. Request that the Casualty Assistance Officer contact the insurance company and obtain the required forms.

b. Request a copy of the claim form by writing the insurance company's main office and complete the form as instructed.

c. Request that a representative of the life insurance company personally visit the home - AFTER receiving a copy of the death certificate.

25. **COUNSELING.** In most cases it is recommended that a representative for the commercial insurance company call at the beneficiary's home. The personal counseling and advice received from a trained insurance counselor is invaluable, and beneficiaries are entitled to this service. For example, a widow/widower having minor children should seriously consider additional insurance on themselves as protection for these children.

NOTE: If large purchases were recently made (e.g., major appliances, automobile, a home) the lending agencies should be contacted to determine if insurance was carried against the unpaid balances of loans.

26. **MISCELLANEOUS PRIVILEGES AND BENEFITS - PERSONAL AFFAIRS RECORDS.** Many retired personnel maintain a personal affairs record. This record may consist of a well organized book or a series of envelopes, or it may be an unassembled mass of individual papers. Regardless of the organization or appearance of a personal affairs record, it should be thoroughly screened by survivors. If survivors do not understand certain papers or have questions pertaining to them, they are invited to bring them to the Casualty Assistance Office. In many instances, papers which were at first considered unimportant are of significance when viewed by a person with previous experience in such matters.

27. **IMPORTANT DOCUMENTS.**

a. Certain documents are required in order to assist in making initial applications for benefits. It is not possible to prepare a list that would be applicable to each specific case; however, the following documents normally are required:

- (1) Death certificate of retired person
- (2) Marriage certificate of surviving spouse and retired person
- (3) Birth certificates of all children UNDER 18 years of age
- (4) Birth certificates of all unmarried children ages 18-23, who are attending college.
- (5) Social Security Number of deceased, retired person
- (6) VA claim number, or other papers pertaining to correspondence with the VA (may or may not be appropriate).

USAFACFS Pam 608-5, 22 April 1994

(7) Government insurance policy or policy number and forms designating beneficiary and option of settlement.

(8) All discharges (DD Form 214) or other papers reflecting service of individual and type of retirement.

(9) If EITHER the surviving spouse or the deceased, retired person was PREVIOUSLY married, a divorce decree, death certificate, or an annulment which terminated any prior marriage.

Adoption papers, if a minor child is an adopted child.

(11) If a child is handicapped, a statement from a competent authority that the child was handicapped BEFORE the age of 18.

(12) Identification cards for eligible members of the family.

(13) Appropriate retirement papers if retired person was also retired from Civil Service or from another public retirement system.

NOTE: In the event that the beneficiary does not possess all of the above documents, application can still be made and the Casualty Assistance Officer will assist in procuring the missing documents.

b. Certain additional documents not required INITIALLY, but that may be required by other agencies in the future are--

(1) Survivor's birth certificate. (Only if the survivor elected a lifetime income from insurance proceeds based on age.)

Title(s) for automobile(s)

Deeds for all property.

(4) Wills of both the survivor and the deceased retired person.

(5) Commercial life insurance policies.

Papers pertaining to loans received

Copies of past 3 years income tax returns

(8) Tax forms to show income received and tax withheld from both retired pay and civilian pay of the deceased retired person for the year of death.

(9) The initial forms that the survivor will automatically receive from Retired Pay Operations, if the retired person was provided an annuity from retired pay.

28. LEGAL ASSISTANCE.

a. Although a Legal Assistance Officer cannot represent survivors, he or she may advise and counsel them regarding legal matters. The Legal Assistance Officer is permitted to write new wills for survivors, and this should be accomplished in a reasonable length of time after death of retired persons. You may contact the Legal Assistance Officer at the nearest military installation with a Staff Judge Advocate Office.

b. If the retired person left a will, it is recommended that the Legal Assistance Officer advise as to the necessity of probating wills. An automobile may be transferred to a survivor by a different legal instrument, an "affidavit of heirship," which may be issued without probating a will. If a will must be probated, the widow MUST hire a civilian attorney. Survivors are cautioned NOT to commit themselves to agreements with attorneys until acceptable STATED fees have been agreed upon for desired services.

29 INCOME TAX

a. Initial Income Tax Return. The surviving spouse is required to file a tax return the year following the death of the retiree or possibly the year of death if the retiree had not filed for the preceding year. The Legal Assistance Officer will assist the surviving spouse in filing an initial income tax return following death. The following important points are provided for information only, and in no way take precedence over published directives, decisions of the Internal Revenue Service, or advice of qualified tax consultants.

(1) The last year for which you may file a joint return with, or claim an exemption for, your deceased spouse is the year of death. However, for 2 years after the year of death, you may be able to figure your tax using the joint rates. These rates are lower than the rates for single or head of household status. To use the joint rates, you must file as a qualifying widow or widower. You must meet all of the following tests to qualify:

(a) You were entitled to file a joint return with your spouse for the year your spouse died (it does not matter whether you actually filed a joint return).

(b) You did not remarry before the end of the current tax year

(c) You have a child, stepchild, adopted child, or foster child who qualifies as your dependent for the year.

(d) You paid more than half the cost of keeping up your home, which is the principal home of that child for the entire year except for temporary absences.

(2) Income received from the following agencies will be INCOME TAX EXEMPT because they are considered death payments:

(a) Veterans Administration. All payments from the VA including lump sum burial payments, monthly pensions, compensation, and government life insurance.

(b) Social Security. All payments from Social Security including lump sum death payments and monthly payments.

(c) Civilian Life Insurance. All payments from civilian insurance proceeds paid directly to the surviving spouse as a named beneficiary. However, under certain conditions, "inheritance taxes" or "estate taxes" can be levied when the TOTAL estate exceeds certain amounts.

(d) Six Month Death Gratuity. This payment will be received ONLY IF the terminally ill retired person died WITHIN 120 DAYS FROM DATE OF TERMINAL RETIREMENT DUE TO SERVICE-CONNECTED CAUSES.

b. Inheritance and Estate Taxes. Although some death benefits may be exempt for Federal Income Tax purposes, when the TOTAL estate exceeds certain amounts, the Federal government may levy "inheritance taxes" against the nonexempt portion of the estate that exceeds variable amount. Each state varies as to what constitutes the estate and to the amount that is exempt. Survivors should discuss this matter with their personal attorney.

c. Sick Pay Exclusion. If the retired person was in the hospital for 1 day or more, was earning wages (other than retired pay), and was absent from work for more than 7 days, the survivor may or may not be able to apply the "sick pay exclusion" principle to TAXABLE income. This possibility should be discussed with the Legal Assistance Officer.

d. Retirement Income Tax Credit. If the retired person was receiving only retired pay and it was taxable, the survivor may apply the "Retirement Income Tax Credit" principle to the taxable portion of the retired pay. Under certain circumstances, taxable income, in addition to retired pay, can be received. This possibility should be discussed with the Legal Assistance Officer.

e. Annuity from RSFPP. If the retired person participated in the RSFPP, the annuity from Retired Pay Operations is PARTIALLY taxable. The form received from Retired Pay Operations with the INITIAL annuity payment is important, and will indicate the amount contributed and the amount the survivor will receive monthly. These amounts, plus the surviving spouse's age, are three factors that must be known when filing income tax EACH year following the death of a retired person. Receipt of an annuity from the RSFPP permits the "Retirement Income Tax Credit" principle to be applied to the surviving spouse's yearly income. Since income tax on annuities is a complex subject, it is suggested that advice be sought from either the Legal Assistance Officer or from a competent income tax counselor.

30. **CHECKING AND SAVINGS ACCOUNTS.** Whether a surviving spouse may be permitted to withdraw monies from a joint checking or savings account for use or for redeposit depends upon the contract that created the "joint" account. Some banks and savings institutions provide contracts and some do not. Survivors utilizing "joint" accounts remain liable for debts owed by the estate. Surviving spouse should check with bankers as soon as possible to close out all joint accounts.

31. **SAFETY DEPOSIT BOXES.** In the event of a "joint" safety deposit box, the survivor normally will be permitted to open the box only after a court order is obtained. Safety deposit boxes must be opened under the supervision of a bailiff or representative of the probate court, a representative of the bank, and a representative of the estate. Only the will and insurance policies, documents verifying dates of birth or marriage, or other documents having no value to the estate may be removed. The will is generally taken directly to the probate court, and an inventory of the contents is made for the benefit of the comptroller and the bank, and for the estate. The complete contents of a safety deposit box can be removed only by a qualified executor or administrator of an estate.

32. **UNITED STATES SAVINGS BONDS.** U.S. Savings Bonds issued in the name of a retired person but payable on death to a survivor, or bonds indicating "Payable to Mr. or Mrs. John Doe" may be cashed or reissued upon presentation of the bonds and a death certificate to a NATIONAL BANK.

33. **TRAVEL OF DEPENDENTS AND MOVEMENT OF HOUSEHOLD GOODS.** Dependents of deceased, retired personnel are entitled to shipment of household goods and travel if the retiree has not moved to home of selection subsequent to retirement (can be done within 12 months after retirement or 12 months plus length of hospitalization).

34. IDENTIFICATION (ID) CARDS.

a. All identification cards of persons eligible as a result of the deceased's service must be renewed. Eligible personnel are:

- (1) The surviving spouse
- 2) Unmarried children, ages 10-21
- (3) Unmarried children, ages 21-23, when attending college full-time
- (4) Parents or parents-in-law of a deceased, retired person who were dependent upon the soldier prior to death.

b. Surviving spouses of deceased, retired personnel are issued ID cards good for ONLY 4 years from the date of issue, and they should apply to the ID Card Branch, Building 3162, every 4 years to have them renewed. The following documents must be provided to establish eligibility for reissuance of ID Cards:

- 1 Copy of retiree's death certificate.
- (2) Copy of retiree's retirement orders.
- 3 Copy of marriage certificate
- 4) Copy of birth certificates of all eligible children.
- (5) Copy of acceptance by college of student (applicable only to dependent children, ages 21 to 23, who are attending college).
- (6) All old ID cards.

35. CONTINUATION OF PRIVILEGES. The ID card is the instrument authorizing continued privileges. The privileges that the surviving spouse and children of a retired person were entitled to before the soldier's death continue with no change. The surviving spouse and children are entitled to medical care at Armed Forces hospitals or dispensaries and commissary privileges. All privileges extended to survivors are on a "space-available" basis; but, at the present time most installations have space available for their continuation. Should a surviving spouse remarry and later that marriage is dissolved for some reason, the spouse can regain only commissary and Post Exchange privileges as the unmarried surviving spouse of the soldier.

36. **HOME LOAN BY THE VETERANS ADMINISTRATION.** Unmarried surviving spouses of a retired soldier who served on active duty during a period between 16 September 1940 and the present and who died a SERVICE-CONNECTED death are eligible for a Veterans Administration Home Loan. Applications for a VA Home Loan must be made with the nearest VA Office.

37. **CIVIL SERVICE JOB PREFERENCE.**

a. Unmarried surviving spouses are entitled to a 10 point Civil Service preference if the deceased retired person had wartime service. These 10 points will be awarded to eligible surviving spouses only AFTER they have satisfactorily passed a Civil Service Examination or are NOW currently employed in Civil Service.

b. In either of the above cases, application must be made through the Directorate of Civilian Personnel. Documentary evidence to include proof of service, marriage certificate, and the death certificate of the retired person is required.

38. **EDUCATION OF CHILDREN**

a. Minor children or children of college age may receive certain financial assistance while attending an accredited college if the death of a retired person is service-connected. However, if the death is determined to be "nonservice-connected," no financial assistance is available.

b. There are countless scholarships, assistance programs, and aid for children of deceased military personnel. Regardless of whether financial assistance is available, children should be advised during high school that there is no reason why they cannot receive a college education if they are willing and able to strive academically. A brochure regarding Army Emergency Relief (AER) educational assistance to a surviving spouse and children of deceased military personnel is available at the AER Office closest to you.

39. **OFFICER AND NCO CLUB MEMBERSHIP.** Membership in the Fort Sill Officer's Club and the Fort Sill NCO Club is at no cost to the surviving spouses of deceased soldiers who were on active duty or in a retired status at time of death. Membership is granted upon presentation of ID card.

APPENDIX A

SUMMARY OF BENEFITS AND ENTITLEMENTS

BENEFIT OR ENTITLEMENT	MEMBER DIES WHILE IN RETIRED STATUS
Emergency financial assistance valid (Red Cross, AER).	Eligible in time of emergency financial need.
Care of remains of soldier provided by military authority.	Eligible if continuously hospitalized from date of retirement to date of death.
Burial allowance for soldier.	Same as above. Payable by U.S. Army.
Burial in National or Post Cemetery.	Eligible
Military Funeral.	Eligible as resources permit.
Burial allowance payable by VA.	Limited to those eligible for VA pension or compensation. (Exception: Not eligible if paid by army.)
Burial Allowance payable by Social Security Administration.	Limited to those who have a surviving spouse or surviving child eligible for benefits.
Travel of dependents and shipment of household goods and personal effects at Government expense.	Eligible if retiree has not moved to home of selection subsequent to retirement (only if death occurs within 12 months of retirement or 12 months plus length of hospitalization).
Death Gratuity (\$6000.00).	Eligible if retiree dies of service-connected disability within 120 days of retirement.

USAFACFS Pam 608-5, 22 April 1994

BENEFIT OR ENTITLEMENT

MEMBER DIES WHILE IN
RETIRED STATUS

Payment of unpaid pay and
allowances.

Eligible. Payable to
designated beneficiary
or by law.

Payment by VA of Dependency and
Indemnity Compensation (DIC).

Eligible if death is due
to service-connected
cause.

Payment by VA of pension to
survivor not entitled to DIC.

Subject to income
limitations.

Medical care at military facilities.

Eligible if space
available.

Medical care from civilian sources.

Eligible. Survivor must
consult CHAMPUS advisor
at nearest military
facility.

MEDICARE.

Eligible at age 65.

Dental care.

Limited eligibility.
Consult nearest military
dental facility.

Post Exchange facilities.

Eligible.

Motion picture theaters.

Eligible.

Commissary.

Eligible.

Recreation Facilities.

Eligible.

Social Security monthly benefit
payments.

Eligible when survivor
reaches age 60 or
earlier if 100 percent
disabled, or immediately
if caring for dependent
child who is under 16
years old or disabled.

SGLI proceeds (maximum \$200,000
if not reduced or refused by
soldier).

Eligible if date of
death is prior to the
end of 120th day or is
within 12 months, if
retired for "total
disability".

USAFACFS Pam 608-5, 22 April 1994

BENEFIT OR ENTITLEMENT

MEMBER DIES WHILE IN
RETIRED STATUS

VGLI proceeds (same as above).

Eligible if retiree paid
premiums.

NSLI proceeds.

Eligible if currently
insured.

Payment of SBP annuity.

Eligible if coverage
elected by retiree at
time of retirement.

Retired Servicemen's Family
Protection Plan (RSFPP).

Eligible if currently
enrolled.

Transportation of remains.

Eligible if continuously
hospitalized from date
of retirement to date of
death.

Travel and per diem to burial
services.

Not eligible.

APPENDIX B

FINAL SUMMARY

B-1. **GENERAL.** The personal counseling received from the Casualty Assistance Officer (CAO) is only the beginning. Additional matters which must be completed are as follows.

a. The CAO will complete application for the following benefits:

(1) Financial assistance from the Red Cross or AER if required

VA Compensation or Pension (VA Form 21-534).

Government Life Insurance - USGLI, NSLI, VGLI or SGLI

(4) Application for supplemental DIC or Educational Assistance, if applicable.

(5) Arrears of Retired Pay

(6) Annuity from Retired Pay Operations (RSFPP or SBP).

(7) Commercial Life Insurance

(8) New Identification Card

b. There are many things that must be accomplished. These include, but are not limited to:

(1) Appointment with Legal Assistance Officer.

(2) Have Legal Assistance Officer review current will and change it, if necessary.

Select a civilian attorney, in necessary.

(4) Have civilian attorney complete the following, if necessary:

(a) Probate will, if necessary.

(b) Transfer stocks and bonds to your name.

(c) Transfer titles of car(s) to your name.

Transfer deeds of all property to your name.

(5) Close out all joint savings and checking accounts, if necessary

(6) Have Government bonds reissued in your name or cashed

(7) Contact any agency your spouse worked for previously which may have had a retirement or insurance plan.

(8) Make application to Social Security for any benefits payable

(9) If there are minor children, evaluate your personal insurance program on the basis of need of your children in the event of your demise and your ability to pay.

(10) Evaluate your present status based upon KNOWN income in the future and prepare a budget.

B-2. **ADDITIONAL ASSISTANCE.** The surviving spouse will receive correspondence forms and inquiries from many agencies which they may not understand. The Casualty Assistance Office, at Fort Sill, Oklahoma, telephone (405) 442-6405, is available 24 hours a day for additional assistance or counseling.

APPENDIX C

FREQUENTLY CALLED TELEPHONE NUMBERS

FORT SILL AREA

C-1. The telephone numbers listed below will be helpful to you as you settle your personal affairs.

- a. Casualty Assistance Office.....(405) 442-6405/5662
- b. Retired Pay Operations.....(800) 428-2290
- c. Veterans Administration.....(800) 827-1000
- d. VA Representative (Local).....(405) 357-8935
- e. Fort Sill Legal Assistance.....(405) 442-5058/5059
- f. Social Security Office.....(800) 772-1213
- g. Fort Sill Cemetery Manager.....(405) 442-2670
- h. Army Emergency Relief.....(405) 442-2922
- i. American Red Cross (Fort Sill).....(405) 442-2426
- j. Red Cross Comanche County.....(405) 355-2480
- k. Directorate of Civilian Personnel.....(405) 442-3955
- l. Reynolds Army Community Hospital.....(405) 458-2500
- m. Post Chaplain.....(405) 442-3319

C-2. This index may not provide you with a telephone number for every agency you come in contact with, but it does include the most frequently contacted agencies.

USAFACFS Pam 608-5, 22 April 1994

The proponent of this pamphlet is the Adjutant General Office
Fort Sill, Oklahoma. Users are invited to send comments and
suggested improvements to Cdr, USAFACFS, ATTN: ATZR-PAG-C,
Fort Sill, OK 73503-5100.

FOR THE COMMANDER:

OFFICIAL:

BILLY HORNER
Director of Information
Management

CHRISTOPHER C. SHOEMAKER
Colonel, FA
Chief of Staff

DISTRIBUTION:

A

CAO (1500)

DOIM Records Mgt Br (1)

DOIM Pubs Supply Sec (50)